

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

ROSCOE WALLACE	§	
VS.	§	CIVIL ACTION NO. 9:16-CV-102
MANAGEMENT AND TRAINING CORPORATION ("MTC") AND DANIEL DRISKELL	§	

ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff, Roscoe Wallace, an inmate represented by counsel, Tammy Peden, filed the above-referenced civil rights action pursuant to 42 U.S.C. § 1983 against defendants Management and Training Corporation ("MTC") and Warden David Driskell by way of Plaintiff's First Amended Complaint.

The court referred this matter to the Honorable Keith Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends defendant Livingston's Motion to Dismiss be granted.¹

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, and pleadings. No objections to the Report and Recommendation of United States Magistrate Judge have been filed to date.

¹Defendant Livingston was named in plaintiff's original complaint but not in plaintiff's first amended complaint. Plaintiff's counsel is not opposed to the Motion to Dismiss.

ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **ADOPTED**. A Partial Judgment will be entered in accordance with the Magistrate Judge's recommendations.

So Ordered and Signed

Mar 10, 2017



Ron Clark, United States District Judge